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Liberty Action PAC  
P.O. Box 540629  
Orlando, FL 32854

July 29, 2013

Ms. Sarah Juris  
Campaign Finance Analyst  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Ms. Juris:

This letter is in response to your inquiry dated June 27, 2013, in which you reference the committee's Amended 30 Day Post-General Report (10/1/12 - 11/26/12), Received 3/14/13.

We have reviewed the relevant transactions and related reports and our answer is as follows:

#### Line 24 - Decrease in Disbursements

The original 30 Day Post General report disclosed transactions that, while reported properly as 24-Hour Notices were not actually paid within the Post-General Period and, therefore, were not required to be disclosed on Schedule E on the 30 Day Post-General report. However, the obligations for payment of the Independent Expenditures were disclosed on Schedule D, Line 10 in accordance with the instructions on Form 3X.

As such, the Amended 30 Day Post-General Report correctly showed the obligations for the 24-Hour Notice transactions and showed the actual 24-H Notice related transactions as Memo-type transactions. While the committee could have removed these transactions from the amended report entirely according to the instructions on Form 3X, it chose to retain them on the report to maintain consistency between reports, but to show them as Memo-type transactions since the actual payment was not rendered to the vendors at the time the period closed.

Accordingly, the dollar amount on Schedule E, Line 24 decreased because the amended report disclosed transactions in Memo-type format, which are not "live" transactions (their amounts do not calculate in the schedule totals) but rather are disclosed for informational purposes only.

#### Schedule A Best Efforts

The Committee takes the following steps to ensure compliance with 11 CFR104.3(a)(4)(i) and 104.7:

All solicitations to prospective donors include the following statement: "Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year."

If the individual fails to respond to the initial request, the Committee sends a stand-alone follow-up letter, no later than thirty (30) days after receipt of the contribution, requesting the same information. The letter, which does not request any additional contributions from the donor, includes a pre-addressed, stamped envelope and contains the

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following statement:

"Federal law requires that we obtain the attached information regarding your occupation and employment. Please complete the attached form and return it to us as soon as possible in the enclosed envelope."

The Committee then discloses any updated contributor information it receives by filing memo Schedule A's in a timely manner with its next regular report or by filing an amended report.

If the individual fails to respond to the Committee's requests, the Committee reports donor information pursuant to the guidelines in 11 CFR 104.7(b)(3) and 11 CFR 104.7(b)(4).

Finally, for any remaining contributors for which the Committee has no employer/occupation information, it sends a follow-up email requesting the required information.

By the procedures and methods described above, the Committee is taking all possible steps to collect and report the relevant employer/occupation information for its contributors.

#### Schedule A - Inadequate Name and/or Employer/Occupation

Inasmuch as the regulations require the Committee to ask contributors to supply employer/occupation information (as outlined above) but do not compel the contributors to comply with the Committee's requests, the Committee has reported all the information it has in its possession in an attempt to satisfy both the intent and the substance of 11 CFR 100.12, 11 CFR 104.3, and 11 CFR 104.7. In addition, the Committee can find no guidance in the statute or regulations that allow it to add to or subtract from information that is voluntarily provided to it from its contributors; nor is there any indication in the statute or regulations that the descriptions referred to are inadequate listings for employer and/or occupation. Finally, the Committee notes that it will update its employer/occupation data as it is received from donors and will make every effort to secure the requested information from all available sources.

With regard to the inadequate name and/or employer/occupation data referenced in your letter, the committee is reporting the data as supplied by the donors. As outlined above, the Committee will continue to attempt to obtain the relevant donor information and will update the public record accordingly.

#### Schedule E - 24 H Notice / Schedule E

The Committee has reviewed the attachments and has determined that it filed a timely 24-H Notice for the following transactions:

Liberty Counsel - 11/1/13 / \$5,400.23 - 24-H Notice filed on 11/2/12  
 Liberty Counsel Action - 11/1/12 / \$254.55 - 24-H Notice filed on 11/2/12

The following transaction was reported in a 24-H Notice filed on 10/31/12, but due to a clerical error was reported incorrectly.

Grassroots Action, Inc. - The referenced transaction was originally reported in a 24-H Notice on 10/31/12 as \$1,582.82 due to the Committee's best efforts at fully disclosing an estimated amount prior to actual payment.

When the Committee attempted to amend the 24-H Notice to show the actual amount (post-payment), it inadvertently disclosed the wrong amount due to a clerical error.

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As such, the \$1,375.89 transaction did not occur, but rather, a transaction of \$1,315.89 did occur. Again, the transaction was reported in a timely manner by the 24-H Notice referenced above.

The Committee has reviewed the attachments and has determined that it reported the above transactions on Schedule E, Line 24 of the 30 Day Post-General Report.

Sincerely,

Deryl M. Edwards  
Treasurer

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